

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL D. HOUSTON,

Defendant.

4:19-CR-3016

ORDER

The defendant has submitted a letter ([filing 82](#)) that the Court construes as a motion to appoint counsel. The Court will deny the motion.

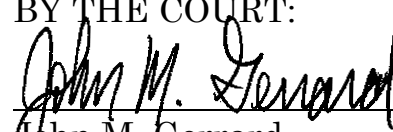
The defendant seeks counsel to assist him moving for a transfer to a different institution within the Bureau of Prisons. See [filing 82](#). The Court cannot entertain such a motion: Once a prisoner has been committed to the custody of the Bureau of Prisons, it's the Bureau that designates the place of the prisoner's imprisonment, his security designation, his programmatic needs, and his mental and medical health needs. 18 U.S.C. § 3621(b).

In addition, the Court can find no authority to appoint counsel for that purpose in the Criminal Justice Act, 18 U.S.C. § 3006A. "A person for whom counsel is appointed shall be represented at every stage of the proceedings from his initial appearance before the United States magistrate judge or the court through appeal, including ancillary matters appropriate to the proceedings." What the defendant is seeking goes well beyond the scope of those proceedings—it does not involve challenging or modifying the conviction or sentence imposed by this Court. Accordingly,

IT IS ORDERED that the defendant's motion to appoint counsel ([filing 82](#)) is denied.

Dated this 12th day of August, 2024.

BY THE COURT:



John M. Gerrard
Senior United States District Judge